

**554D.103 Definitions.**

As used in [this chapter](#), unless the context otherwise requires:

1. “*Agreement*” means the bargain of the parties in fact, as found in their language or inferred from other circumstances and from rules, regulations, and procedures given the effect of agreements under laws otherwise applicable to a particular transaction.

2. “*Automated transaction*” means a transaction conducted or performed, in whole or in part, by electronic means or electronic records, in which the acts or records of one or both parties are not reviewed by an individual in the ordinary course of forming a contract, performing under an existing contract, or fulfilling an obligation required by the transaction.

3. “*Computer program*” means a set of statements or instructions to be used directly or indirectly in an information processing system in order to bring about a certain result.

4. “*Contract*” means the total legal obligation resulting from the parties’ agreement as affected by [this chapter](#) and other applicable law. “*Contract*” includes any contract secured through distributed ledger technology and a smart contract.

5. “*Distributed ledger technology*” means an electronic record of transactions or other data to which all of the following apply:

a. The electronic record is uniformly ordered.

b. The electronic record is redundantly maintained or processed by one or more computers or machines to guarantee the consistency or nonrepudiation of the recorded transactions or other data.

6. “*Electronic*” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

7. “*Electronic agent*” means a computer program or an electronic or other automated means used independently to initiate an action or respond to electronic records or performances in whole or in part, without review or action by an individual.

8. “*Electronic record*” means a record created, generated, sent, communicated, received, or stored by electronic means. “*Electronic record*” includes any record secured through distributed ledger technology.

9. “*Electronic signature*” means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. “*Electronic signature*” includes a signature that is secured through distributed ledger technology.

10. “*Governmental agency*” means an executive, legislative, or judicial agency, department, board, commission, authority, institution, or instrumentality of the federal government or of a state or of a county, municipality, or other political subdivision of a state.

11. “*Information*” means data, text, images, sounds, codes, computer programs, software, databases, or the like.

12. “*Information processing system*” means an electronic system for creating, generating, sending, receiving, storing, displaying, or processing information.

13. “*Person*” means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation, or any other legal or commercial entity.

14. “*Record*” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

15. “*Security procedure*” means a procedure employed for the purpose of verifying that an electronic signature, record, or performance is that of a specific person or for detecting changes or errors in the information in an electronic record. “*Security procedure*” includes a procedure that requires the use of algorithms or other codes, identifying words or numbers, encryption, or callback or other acknowledgment procedures, and includes digital signature technology.

16. “*Smart contract*” means an event-driven program or computerized transaction protocol that runs on a distributed, decentralized, shared, and replicated ledger that executes the terms of a contract. For purposes of [this subsection](#), “*executes the terms of a contract*” may include taking custody over and instructing the transfer of assets.

17. “*State*” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction

of the United States. “*State*” includes an Indian tribe or band, or Alaskan native village, which is recognized by federal law or formally acknowledged by a state.

18. “*Transaction*” means an action or set of actions occurring between two or more persons relating to the conduct of business, commercial, or governmental affairs.

[2000 Acts, ch 1189, §3](#); [2004 Acts, ch 1067, §2, 3](#); [2021 Acts, ch 116, §1, 2, 5](#)

Referred to in [§4.1, 633A.5107](#)

2021 enactment of subsections 5 and 16 and amendment to subsections 4, 8, and 9 effective January 1, 2022; 2021 Acts, ch 116, §5

Subsection 4 amended

NEW subsection 5 and former subsections 5 – 14 renumbered as 6 – 15

Subsections 8 and 9 amended

NEW subsection 16 and former subsections 15 and 16 renumbered as 17 and 18